

Congress of the United States
House of Representatives
Washington, DC 20515

May 15, 2001

Mr. Andrew D. Lundquist
Executive Director
National Energy Policy Development
Office of the Vice President
Old Executive Office Building
Washington, D.C. 20501

Dear Mr. Lundquist:

We are in receipt of a May 4 letter to Reps. Tauzin and Burton regarding our letter of April 19, 2001 (enclosed), requesting information and documentation relevant to the energy task force.

In our letter, we expressed our concern that your task force's decision to meet behind closed doors and exclude certain parties from participation in its discussions violated not only the letter, but the spirit, of the Federal Advisory Committee Act (FACA).

As Ranking Members of the House Committees with primary jurisdiction over the federal government's development and implementation of energy policy, we are troubled by your insufficient response to a straightforward request for information by elected members of the Legislative Branch. We do not believe it is appropriate for you to refuse to supply the records we had requested or to refuse to identify the members of the task force staff and the specific individuals and groups with whom they have met. Unfortunately, your actions only serve to deepen public suspicion over the Administration's apparent efforts to shield the membership and deliberations of the task force and its staff from public scrutiny.

The process of energy policy development needs sunshine. At a minimum, the public has the right to know the membership of the task force and its staff; what information is being presented to the task force and its staff and by whom it is being given; and the cost of the task force's activities. The importance of disclosure is underscored by a recent press account stating that the task force and/or its staff has met with over 130 interest groups and that major Republican contributors have attended private sessions with Vice President Cheney. (*Cheney Task Force Seeks Input from Interest Groups*, Associated Press (May 14, 2001).)

Mr. Andrew D. Lundquist

Page 2

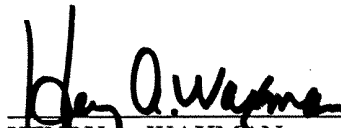
To that end, we are retransmitting our original letter to you requesting detailed answers to our questions, as well as our request for copies of all records relating to the task force. In order to help you better understand our request for records, the terms "records" and "relating" should be interpreted in accordance with the attached document, written by the House Commerce Committee Majority and used repeatedly in its information requests to the previous Administration.

We look forward to receiving your thorough response to our request by no later than Tuesday, May 29, 2001.

Sincerely,



JOHN D. DINGELL
RANKING MEMBER
COMMITTEE ON ENERGY AND COMMERCE



HENRY A. WAXMAN
RANKING MEMBER
COMMITTEE ON GOVERNMENT REFORM

Enclosures

cc: The Honorable W. J. "Billy" Tauzin, Chairman
Committee on Energy and Commerce

The Honorable Dan Burton, Chairman
Committee on Government Reform

Mr. David S. Addington
Counsel to the Vice President

Definitions

1. The term "records" is to be construed in the broadest sense and shall mean any written or graphic material, however produced or reproduced, of any kind or description, consisting of the original and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts and both sides thereof, whether printed or recorded electronically or magnetically or stored in any type of data bank, including, but not limited to, the following: correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions or reports of consultants, projections, statistical statements, drafts, contracts, agreements, purchase orders, invoices, confirmations, telegraphs, telexes, agendas, books, notes, pamphlets, periodicals, reports, studies, evaluations, opinions, logs, diaries, desk calendars, appointment books, tape recordings, video recordings, e-mails, voice mails, computer tapes, or other computer stored matter, magnetic tapes, microfilm, microfiche, punch cards, all other records kept by electronic, photographic, or mechanical means, charts, photographs, notebooks, drawings, plans, inter-office communications, intra-office and intra-departmental communications, transcripts, checks and canceled checks, bank statements, ledgers, books, records or statements of accounts, and papers and things similar to any of the foregoing, however denominated.

2. The terms "relating," "relate," or "regarding" as to any given subject means anything that constitutes, contains, embodies, identifies, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.